

DEC 21 2007

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

TODD ROBERTS, for Southbay Boat  
Yard,

Plaintiff - Appellee,

v.

PAUL F. KENT, for Lion of Judah,

Defendant - Appellant.

No. 06-56807

D.C. No. CV-06-01663-RTB

MEMORANDUM \*

Appeal from the United States District Court  
for the Southern District of California  
Roger T. Benitez, District Judge, Presiding

Submitted December 17, 2007 \*\*

Before: GOODWIN, REINHARDT and W. FLETCHER, Circuit Judges.

In light of appellant's payment of the docketing fee, the motion to file the opening brief as served is granted. The Clerk shall file the opening brief received

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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March 27, 2007, the answering brief received April 24, 2007, and the reply brief received May 24, 2007.

A review of the record, the response to the court's August 27, 2007 order to show cause, and the opening and answering briefs indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

**AFFIRMED.**